

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	CR. NO. <u>3:06cr52-MEF</u>
)	
RUDOLPH TERRY)	

MOTION TO CONTINUE SENTENCING

Comes now the United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and as grounds for this Motion, states as follows:

1. Sentencing in this matter (the “Rudolph Case”) is currently scheduled for July 6, 2006.
2. The government requests that the sentencing in the Rudolph Case be postponed until a date on or after July 17, 2006.
3. The reason for this request is that counsel for Rudolph has advised that he will be on vacation during the early portion of July. In addition, pursuant to a Motion to Continue in United States v. Roy Terry, Cr. No. 3:05cr141-MEF (the “Roy Case”), the government is seeking to have the sentencing in the Roy Case take place contemporaneously with (or after) the sentencing in the Rudolph Case, and counsel for Roy has advised that he would be available in the latter portion of July.
4. I have spoken with an assistant to Rudolph’s counsel, who has no objection to (and in fact initiated) this request.

Respectfully submitted this the 8th day of May, 2006.

LEURA G. CANARY
UNITED STATES ATTORNEY

/s/Andrew O. Schiff
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CERTIFICATE OF SERVICE

I hereby certify that on May 8, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Brian Steel, Esq.

Respectfully submitted,

/s/Andrew O. Schiff
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